IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.658 OF 2006
IN
WRIT PETITION NO.1571 OF 2005

LTCDR Manmeet Singh & Anr. .. Applicants.
Vs.
Shri Shridhar Ramgnath Phule & Anr. .. Respondents.

Mr.A.K.Chauhan for the applicants.
Ms.V.S.Mhaispurkar AGP for respondent no.2.
Mr.R.N.Sanghavi for respondent no.1.

CORAM : D.B.BHOSALE, J.

DATED : 25TH AUGUST, 2006

P.C.:

. Heard learned counsel for the parties.

2. I perused the application. The applicant is seeking condonation of delay in filing this application and also for restoration of writ petition no.1571/2005 which came to be dismissed for non prosecution vide order dated 16th September, 2005. The applicant was directed to pay batta charges within two weeks and since he did not do so the matter stood dismiss for non prosecution vide order dated 16.9.2005. I perused the application, the cause shown by the applicant in the application, in my opinion, is sufficient and in view thereof this application is

allowed in terms of prayer clause (a) and (b) subject to payment of cost quantified at Rs.500/- to be remitted to Kirtikar Law Library within two weeks from today. Prayer clause (a) and (b) reads thus:

> "(a) that this Hon'ble High Court may be pleased to condone the delay of 125 days, caused in taking out the above Application for restoration of Writ Petition No.1571/2005.
>
> (b) that this Hon'ble High Court may be pleased to order to restore the writ petition No.1571/2005 to its original numbers, alongwith the orders passed therein from time to time.

. The application is disposed of.

(D.B.Bhosale, J.)